

1 Sujata Sidhu Gibson, Esq.  
2 The Gibson Law Firm, PLLC  
3 PO Box 430  
Ithaca, NY 14851  
Tel: (607) 327-4125  
Fax: (607) 238-4689  
4  
5 sujata@gibsonfirm.law

Michael Sussman, Esq.  
Sussman & Associates  
1 Railroad Ave, Suite 3  
PO Box 1005  
Goshen, NY 10924  
(845) 294-3991  
6  
7 sussman1@frontiernet.net

Robert F. Kennedy, Jr. Esq.  
Mary Holland, Esq.  
Children's Health Defense  
1227 Peachtree Parkway, Suite 202  
Peachtree, GA 30269  
mary.holland@childrenshealthdefense.org

6 *Attorneys for Plaintiffs and Proposed Plaintiff Class*

7  
8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF NEW YORK**

10 JANE DOE on behalf of herself and her minor  
11 child; JANE BOE, Sr. on behalf of herself and  
her minor child; JOHN COE, Sr. and JANE  
12 COE, Sr. on behalf of themselves and their  
minor children; JOHN FOE, Sr. on behalf of  
himself and his minor child; JANE GOE, Sr. on  
13 behalf of herself and her minor child; JANE  
LOE on behalf of herself and her medically  
fragile child; JANE JOE on behalf of herself  
14 and her medically fragile child; CHILDRENS  
15 HEALTH DEFENSE, and all others similarly  
16 situated,

17 Civil Action No.: 1:20-CV-0840 (BKS/CFH)

18  
19 **NOTICE OF PLAINTIFFS' MOTION FOR**  
**LEAVE TO PROCEED BY PSEUDONYM**

20 Plaintiffs,

21 vs.

22 HOWARD ZUCKER, in his official capacity as  
23 Commissioner of Health for the State of New  
24 York; ELIZABETH RAUSCH-PHUNG, M.D.,  
25 in her official capacity as Director of the Bureau  
26 of Immunizations at the New York State  
27 Department of Health; the NEW YORK STATE  
28 DEPARTMENT OF HEALTH; THREE  
VILLAGE CENTRAL SCHOOL DISTRICT;  
CHERYL PEDISICH, acting in her official  
capacity as Superintendent, Three Village  
Central School District; CORINNE KEANE,  
acting in her official capacity as Principal, Paul  
J. Gelinas Jr. High School, Three Village  
Central School District; LANSING CENTRAL  
SCHOOL DISTRICT; CHRIS

NOTICE OF PLAINTIFFS' MOTION FOR LEAVE TO PROCEED BY PSEUDONYM - 1

1 PETTOGRASSO, acting in her official capacity  
2 as Superintendent, Lansing Central School  
3 District; CHRISTINE REBERA, acting in her  
4 official capacity as Principal, Lansing Middle  
5 School, Lansing Central School District;  
6 LORRI WHITEMAN, acting in her official  
7 capacity as Principal, Lansing Elementary  
8 School, Lansing Central School District;  
9 PENFIELD CENTRAL SCHOOL DISTRICT;  
10 DR. THOMAS PUTNAM, acting in his official  
11 capacity as Superintendent, Penfield Central  
12 School District; SOUTH HUNTINGTON  
13 SCHOOL DISTRICT; DR. DAVID P.  
14 BENNARDO, acting in his official capacity as  
15 Superintendent, South Huntington School  
16 District; BR. DAVID MIGLIORINO, acting in  
17 his official capacity as Principal, St. Anthony's  
18 High School, South Huntington School District;  
19 ITHACA CITY SCHOOL DISTRICT; DR.  
20 LUVELLE BROWN, acting in his official  
21 capacity as Superintendent, Ithaca City School  
22 District; SUSAN ESCHBACH, acting in her  
23 official capacity as Principal, Beverly J. Martin  
24 Elementary School, Ithaca City School District;  
25 SHENENDEHOWA CENTRAL SCHOOL  
26 DISTRICT; DR. L. OLIVER ROBINSON,  
27 acting in his official capacity as Superintendent,  
28 Shenendehowa Central School District; SEAN  
GNAT, acting in his official capacity as  
Principal, Koda Middle School, Shenendehowa  
Central School District; ANDREW HILLS,  
acting in his official capacity as Principal,  
Arorgen Elementary School, Shenendehowa  
Central School District; COXSACKIE-  
ATHENS SCHOOL DISTRICT; RANDALL  
SQUIER, Superintendent, acting in his official  
capacity as Superintendent, Coxsackie-Athens  
School District; FREYA MERCER, acting in  
her official capacity as Principal, Coxsackie-  
Athens High School, Coxsackie-Athens School  
District; ALBANY CITY SCHOOL  
DISTRICT; KAWEEEDA G. ADAMS, acting in  
her official capacity as Superintendent, Albany  
City School District; MICHAEL PAOLINO,  
acting in his official capacity as Principal,

1 William S. Hackett Middle School, Albany City  
2 School District; and all others similarly situated

3 **PLEASE TAKE NOTICE** that on \_\_\_\_\_, 2020, at \_\_\_\_\_ in the fore/after noon or on  
4 such date as the Court may direct, Jane Doe, John Doe, Sr., Jane Coe, Sr., John Coe, Sr., John  
5 Foe, Sr. Jane Goe, Sr., Jane Joe, Jane Koe and Jane Loe, on behalf of themselves and their minor  
6 children (collectively the "Doe Plaintiffs") through counsel, will move before the United States  
7 District Court for the Northern District of New York, located at \_\_\_\_\_, for permission  
8 to proceed by pseudonym and for a protective order restricting the disclosure of the identities or  
9 any information that may reveal the identities of the Doe Plaintiffs to the general public pursuant  
10 to the attached Proposed Order .

13 **TAKE FURTHER NOTICE** that responding papers, if any, are due

14 **TAKE FURTHER NOTICE** that in support of this Motion, Plaintiffs rely on their  
15 Memorandum of Law, affirmation of counsel Sujata Gibson, Esq. dated July 22, 2020, the  
16 Complaint, dated July 22, 2020 along with this Notice of Motion, Certificate of Service and  
17 Proposed Order.

19 Dated: July 22, 2020

20 RESPECTFULLY SUBMITTED,

22   
23 Sujata S. Gibson, Esq.  
24 The Gibson Law Firm, PLLC  
25 407 N. Cayuga Street, Suite 201  
26 Ithaca, New York 14850  
27 Bar Number: 517834  
28 *Attorneys for Plaintiffs*

~~Michael H. Sussman, Esq.~~  
Sussman & Associates  
PO Box 1005  
Goshen, N.Y. 10924  
*Bar No. 103324*  
845-294-3991 [ph]